



Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.

P-2597

Public Notice Date

April 3, 2008

Expiration Date

May 2, 2008

Postmaster Please Post Conspicuously Until:

File Number: 2005-45094

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Mr. Shawn Sullivan

APPLICANT: Metropolitan St. Louis Sewer District, 2350 Market Street, St. Louis, Missouri, 63103. Ph. (314) 291-6550.

AGENT: Mr. Greg Tolcou, P.E. Principal Engineer, Metropolitan Sewer District, 2350 Market Street, St. Louis, Missouri, 63103. Ph. (314) 768-2782.

LOCATION: The project area is located north of the Maryland Heights Expressway, approximately one mile north of the Creve Coeur Airport, along Creve Coeur Creek, and near the confluence of Creve Coeur Creek with the Missouri River at approximate Missouri River mile 31. The site is depicted on the attached location map.

PROJECT DESCRIPTION: The applicant seeks authorization to make improvements to the Metropolitan St. Louis Sewer District's Missouri River Treatment Plant. The proposed improvements will require expansion of the facility into a wetland mitigation site, and are to be completed in two parts:

The first part, called Rehabilitation / Headworks will consist of constructing utility buildings, repair of concrete structures, and repairs to primary clarifiers, followed by replacements to the influent structure, screen building, grit chambers, and associated facilities, plus upgrades to the effluent pump

station. A new peak flow storage facility will also be added to the plant. These improvements will occur within the existing plant complex, and will not impact any jurisdictional wetlands or waterbodies.

The second part, called Secondary Treatment Upgrade, will consist of constructing an improved secondary treatment process. This process is anticipated to be needed due to expected tightening of future discharge standards by the U.S. Environmental Protection Agency. The upgrades will include the construction of a pump station, clarifiers, aeration basins, a flow splitter, and two utility buildings. To accomplish these upgrades, the Metropolitan St. Louis Sewer District (MSD) needs approximately 35 acres. MSD is also proposing to construct a future maintenance building/service facility for part of their truck fleet, thereby reducing the response time to service needs in the northwest St. Louis County area. This maintenance facility would occupy approximately 5 acres.

According to the applicant, the only feasible location for these improvements within the current property is construction in the southern plant property, which is a non-functioning wetland mitigation site from a previous plant expansion in the 1980's. A short history of the previous plant expansion and mitigation site follows:

In 1985, the Kansas City District, Corps of Engineers issued permit number 2SB-OXR-1-2451, to the Tarlton Corporation, authorizing dredging of up to 500,000 cubic yards of sand out of the Missouri River, and fill approximately 19 acres of wetlands with the disposal of the dredged material adjacent to the existing MSD wastewater facility. The project purpose was to prepare the 19 acre site for the expansion of the existing wastewater treatment plant. The dredging and filling activity was initiated in January, 1986, and completed in March, 1986. As compensatory mitigation for the wetland impacts, the Kansas City District required 23.56 acres of on-site wetland mitigation, immediately adjacent to the 19-acre expansion site. The compensatory mitigation requirement was to consist of preserving 2.7 acres of forested wetland in the western mitigation area, preserving 3.3 acres of an emergent wetland swale in the southern mitigation area, and enhancing 17.56 acres of existing wetlands in the southern mitigation area. The compensatory wetland mitigation was never completed. Approximately 1.7 acres of the 2.7 acre forested wetland preservation area was cleared, and nearly ½ to 2/3 of the enhancement area as well as the emergent wetland swale was filled during the dredging, filling and construction operations. At this time, approximately 1.26 acres of wetlands have developed in the southern mitigation area and were delineated using the 1987 Corps of Engineers Wetland Delineation Manual.

In light of the above, MSD is not in compliance with the terms and conditions of the 1985 permit. The St. Louis District became aware of the permit non-compliance during the evaluation of the Howard Bend Environmental Impact Statement evaluation. Since that time, the St. Louis District has been working with the MSD to resolve this matter, and it was determined that the resolution could be accomplished through the evaluation of MSD's current application for the proposed improvements and expansion of the Missouri River Treatment Plant. The St. Louis District is soliciting comments on the proposed expansion; resolution of the permit non-compliance; the ramifications of impacting the mitigation site; and if a permit is to be issued, the appropriate amount and type of compensatory mitigation for the impacts to the mitigation site, taking into consideration the temporal loss of the original wetlands impacted in 1985.

LOCATION MAPS AND DRAWINGS: See attached. Maps are also available for viewing on our online version of this Public Notice which may be accessed through the St. Louis District Regulatory Branch Public Notice webpage at the following link: <http://www.mvs.usace.army.mil/permits/pn.htm>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8580 or by e-mail to shawn.f.sullivan@usace.army.mil

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Missouri Department of Natural Resources, Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.


PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

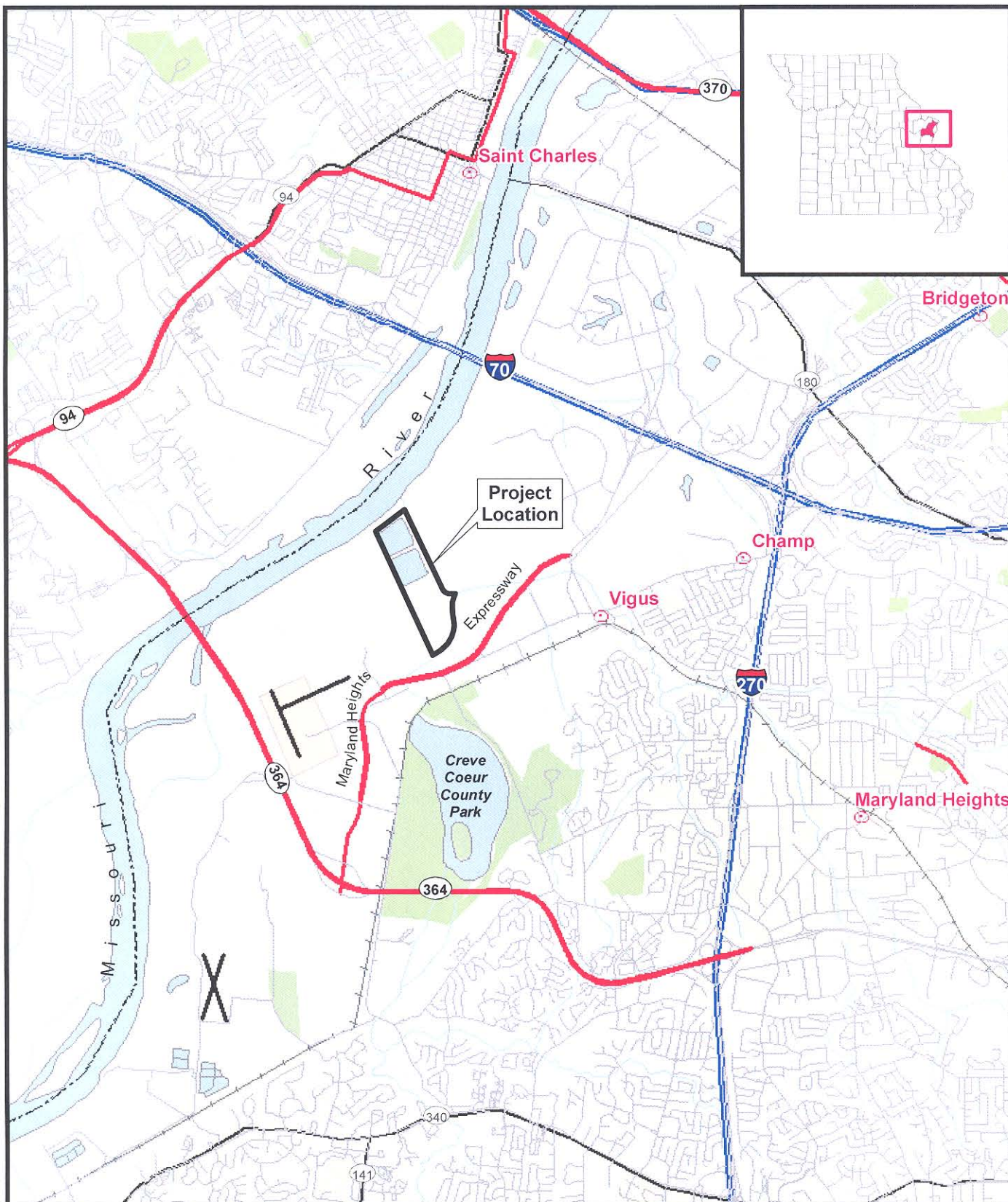
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


for DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.



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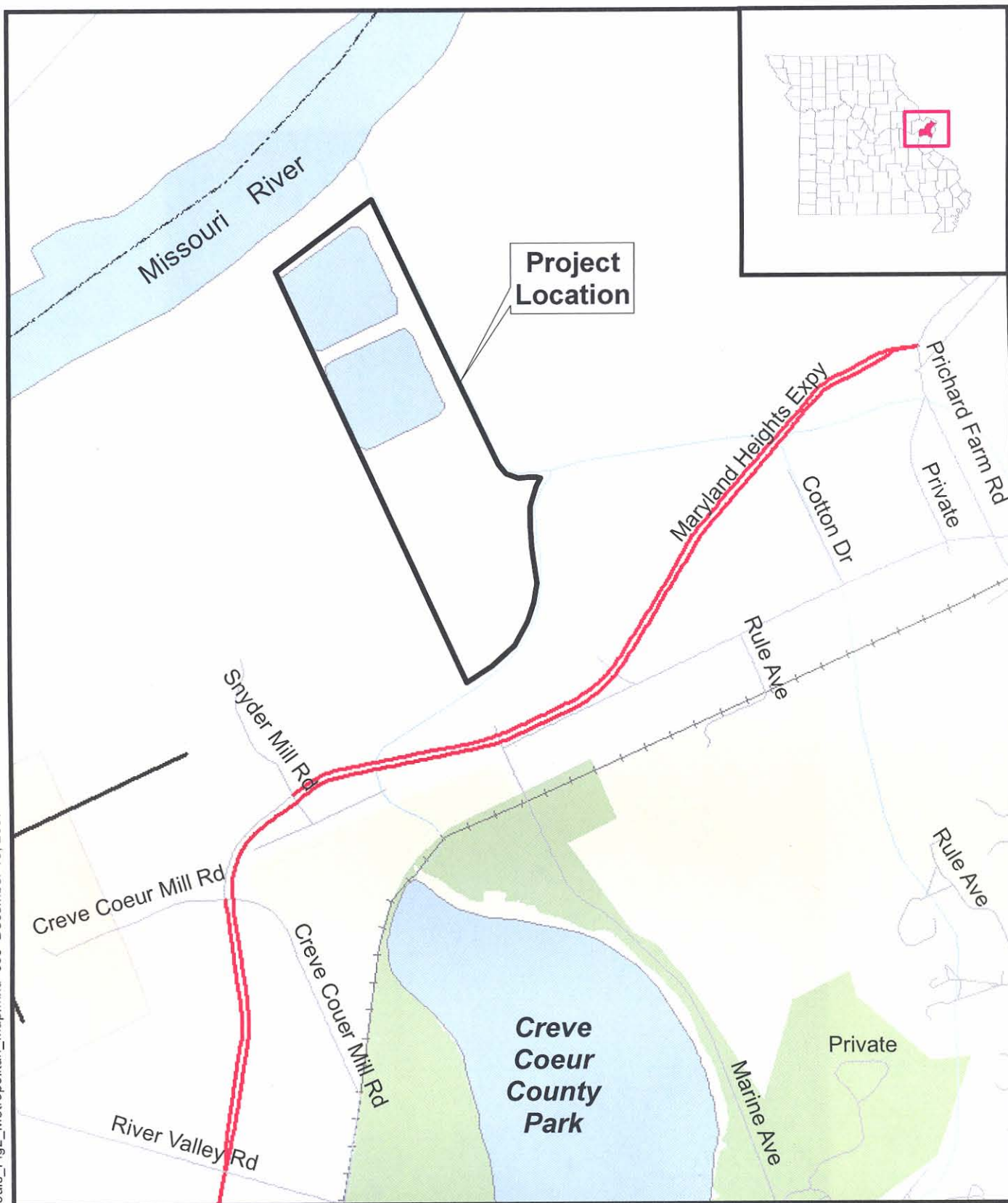
Sheet 1 of 6
P-2597
File #2005-45094

Figure 1

General Location Map

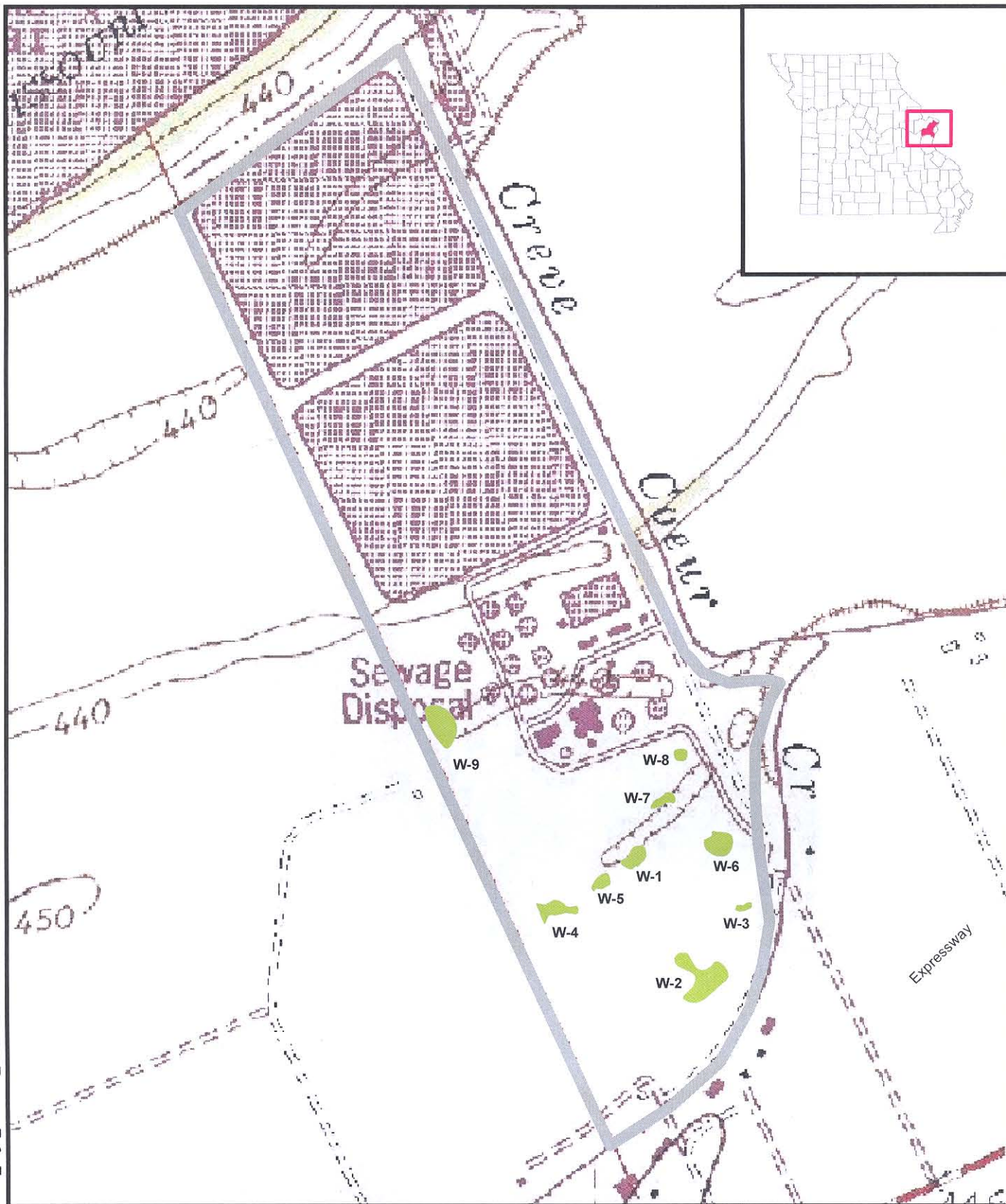
Metropolitan St. Louis Sewer District
Missouri River Treatment
Plant Improvements
St. Louis County, Missouri

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Sheet 2 of 6
P-2597
File #2005-45094

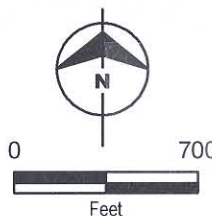
Figure 2
Location Map
Metropolitan St. Louis
Sewer District-Maryland Heights
Missouri River Treatment
Plant Improvements
St. Louis County, Missouri



Legend

-  GPS Wetlands
-  MSD Property Boundary

NAIP Aerial Photo
Courtesy USDA, 2006



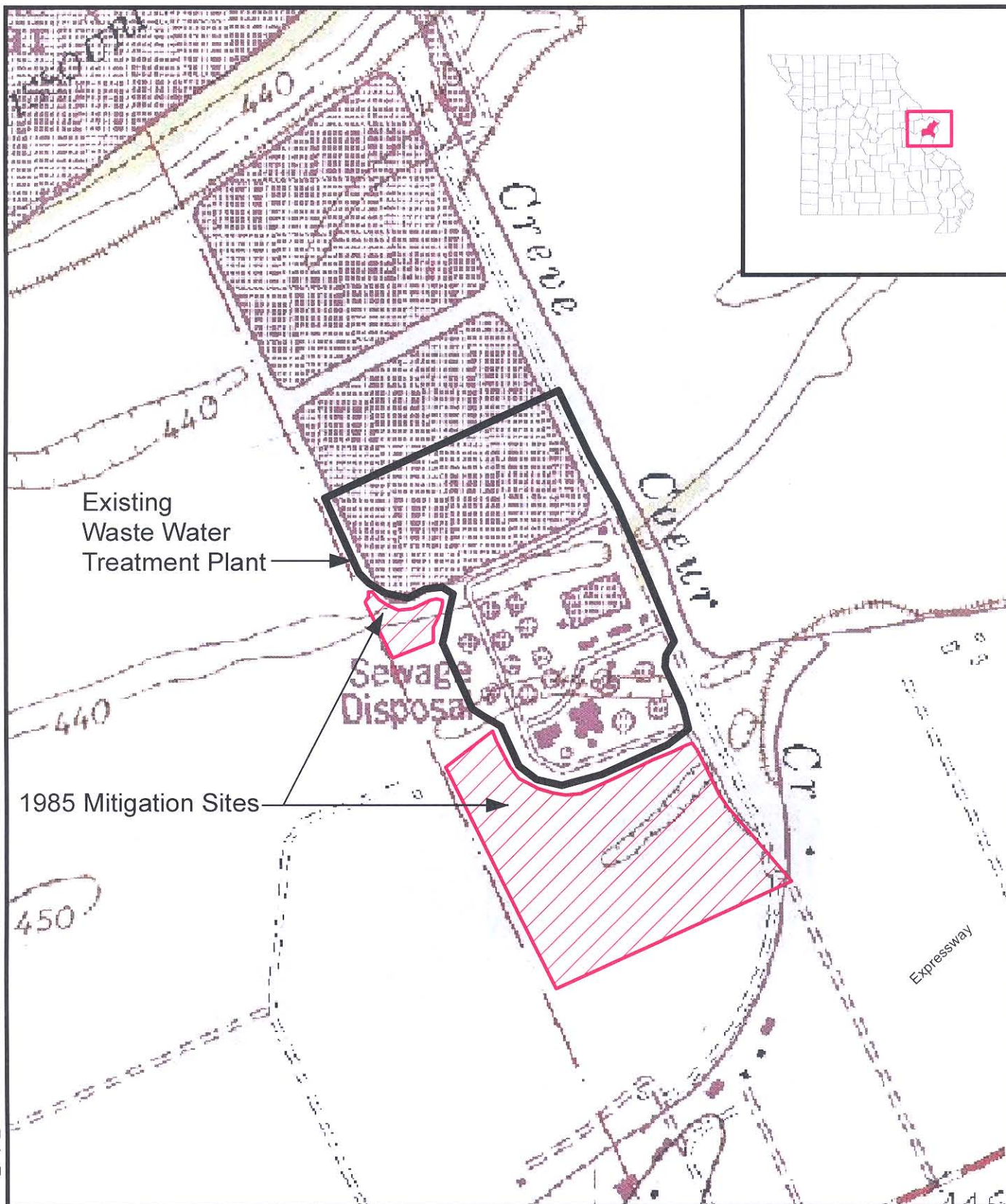
Sheet 3 of 6
P-2597
File #2005-45094

Figure 3

Delineated Wetland Map

Metropolitan St. Louis Sewer District
Missouri River Treatment
Plant Improvements
St. Louis County, Missouri

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NAIP Aerial Photo
Courtesy USDA, 2006

KEY



1985 Wetland Mitigation Site

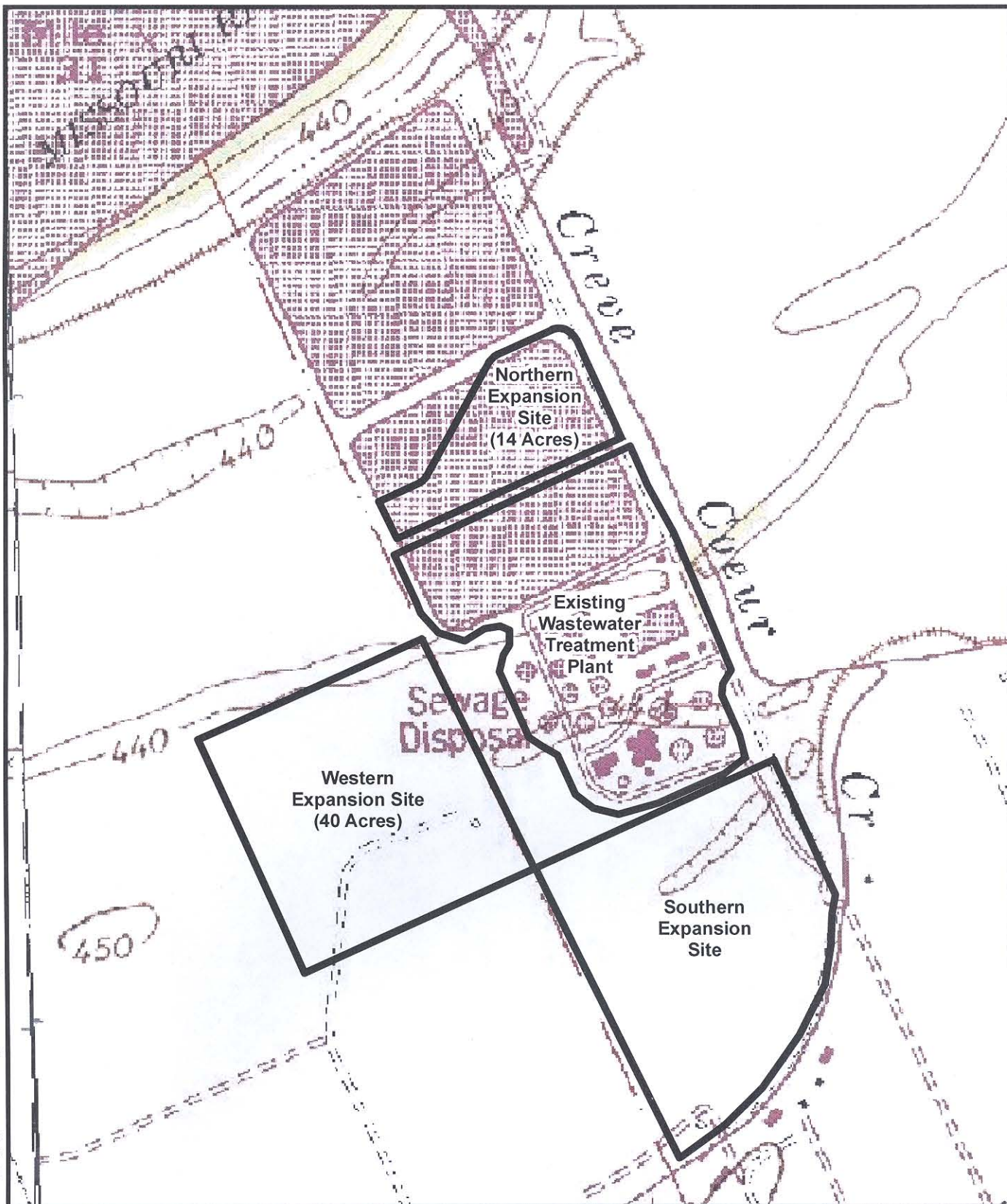


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Sheet 4 of 6
P-2597
File #2005-45094

Figure 4
1985 Wetland Mitigation Site
Location Map

Metropolitan St. Louis Sewer District
Missouri River Treatment
Plant Improvements
St. Louis County, Missouri



Legend



Approximate Site Boundary

USGS TOPOGRAPHIC MAPS
Courtesy USDA, 2006



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SCALE IN FEET

Sheet 5 of 6
P-2597

File #2005-45094

Figure 5

**Considered Alternative Sites
For Secondary Expansion Project**

Metropolitan St. Louis Sewer District
Missouri River Treatment
Plant Improvements
St. Louis County, Missouri

